

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRANSMITTAL FORM

Applicant(s): ISHIMOTO et al.

Serial No.: 10/527,506

Filed: March 10, 2005

For: SPIN STAND HAVING FLUID DYNAMIC BEARING MOTOR
AND HEAD/DISK TEST DEVICE

Art Unit: 2834

Examiner: Not Yet Assigned

Confirmation No.: 9938

Customer No.: 27623

Attorney Docket No.: 40020430-06

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

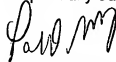
Dear Sir:

We are enclosing:

1. Information Disclosure Statement with copies of references;
2. PTO Form 1449;
3. Copy of International Preliminary Examination Report dated July 14, 2005;
4. Transmittal letter in duplicate; and
5. Postcard.

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 01-0467 in the name of Ohlandt, Greeley, Ruggiero & Perle. A duplicate copy of this sheet is attached.

Respectfully submitted,



Date: July 27, 2005

Paul D. Greeley, Esq.
Reg. No. 31,019
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, Connecticut 06901-2682
(203) 327-4500

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON July 27, 2005.

Marilyn Alexander
NAME

July 27, 2005
SIGNATURE

7/27/05
DATE

PATENT COOPERATION TREATY

PCT/JP2003/011762

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

KATO, Kimihisa
Agilent Technologies Japan, Ltd.
General Legal & Intellectual Property Dept.
9-1 Takakura-cho
Hachioji-shi, Tokyo 192-8510
JAPON

Date of mailing (day/month/year)
14 July 2005 (14.07.2005)

Applicant's or agent's file reference
40020430-02

International application No.
PCT/JP2003/011762

Applicant

IMPORTANT NOTIFICATION

International filing date (day/month/year)
16 September 2003 (16.09.2003)

AGILENT TECHNOLOGIES JAPAN, LTD. et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, EP, GH, KG, KP, KR, MK, MZ, RO, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GM, GR, HU, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation info (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 740 14 35

Form PCT/IB/338 (July 1996)

Authorized officer

Masashi Honda

Facsimile No. +41 22 338 70 10

BEST AVAILABLE COPY

Translation

PATENT COOPERATION TREATY

PCT/JP2003/011762



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 40020430-02	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/JP2003/011762	International filing date (day/month/year) 16 September 2003 (16.09.2003)	Priority date (day/month/year) 20 September 2002 (20.09.2002)	
International Patent Classification (IPC) or national classification and IPC G11B 5/00, 5/455, 5/596, 5/84, 21/10, 21/21			
Applicant AGILENT TECHNOLOGIES JAPAN,LTD.			

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 21 October 2004 (21.10.2004)	Date of completion of this report 06 April 2005 (06.04.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (January 2004)

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/011762

Box No. 1 Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☐ The international application as originally filed/furnished
- ☒ the description: _____, as originally filed/furnished
- pages _____ 1-18 _____
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims: _____, as originally filed/furnished
- pages _____, as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on 18 February 2005 (18.02.2005)
- pages* 1, 3, 4, 6, 9, 12 received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the drawings: _____, as originally filed/furnished
- pages _____
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☒ the claims, Nos. _____ 2, 5, 7, 8, 10, 11
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Form PCT/PE/A/409 (Box No. 1) (January 2004)

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/JP 03/11762

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1, 3, 4, 6, 9, 12	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1, 3, 4, 6, 9, 12	NO
Industrial applicability (IA)	Claims	1, 3, 4, 6, 9, 12	YES
	Claims		NO

2. Citations and explanations

- Document 1: JP 2849554 B2 (Kyodo Denshi System Co., Ltd.),
20 January 1999, paragraphs 0011 to 0017
(Family: none)
- Document 2: JP 2002-230703 A (Kyodo Denshi System Co.,
Ltd.), 16 August 2002, paragraphs 0039 to
0066 (Family: none)

The invention set forth in claim 1 does not involve an inventive step in the light of newly cited document 1. Document 1 sets forth a spin stand for a disk certifier which is provided with a spindle (102) which rotates the disk (103), a head jig (109) which fixes the head (110), and a rotary positioner (107) which turns the head (110) and controls the angle, wherein skew angle is set by the rotary positioner. In the explanation referring to fig. 3, fig. 3 (A) indicates that a disk (103) is mounted, and fig. 3 (C) indicates that after carrying out manual glide testing (confirmation after burnishing), manual read/write testing is carried out on the magnetic head (110) (paragraphs 0011 to 0017). Moreover, it would be easy for a person skilled in the art to conceive of carrying out both the movement of the magnetic head (110) from (A) to (C) in fig. 3, and the setting of the skew angle in testing at fig. 3 (C), using the aforementioned rotary

positioner.

The invention set forth in claim 3 does not involve an inventive step in the light of document 1. In the invention set forth in document 1, it would be easy for a person skilled in the art to conceive of attaching/detaching the magnetic head in the state shown in fig. 3 (A).

The invention set forth in claim 4 does not involve an inventive step in the light of document 1. The wording "restriction of movement or immobilization at the separation position" in claim 4 is understood to mean that the degree of freedom of positioning in the restricted movement or immobilized state is relatively low, but the degree of freedom is merely a matter which a person skilled in the art could set as necessary.

The invention set forth in claim 6 does not involve an inventive step in the light of document 1. The relative positioning of constituent elements is merely a matter which a person skilled in the art could set as necessary.

The invention set forth in claims 9 and 12 does not involve an inventive step in the light of document 1 and document 2 cited in the international search report. Document 2 sets forth a device provided with a spindle motor which rotates a magnetic disk (17), a head clamp (29) which positions a magnetic head (27), a piezo stage (93) which is attached to the head clamp and moves the magnetic head in minute increments, and a skew stage (55) which sets the skew angle of the magnetic head by rotating the head clamp (29) (paragraphs 0039 to 0066). It would be easy for a person skilled in the art to conceive of applying the piezo stage set forth in document 2 in between the head (110) and head jig (109) set forth in

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.
PCT/JP 03/11762

document 1 in order to enable the magnetic head to be moved in minute increments.

In addition, it is common general technical knowledge that rotation is stabilized by having the center of gravity and center of rotation of a rotating body approach one another, and it would be easy for a person skilled in the art to conceive of disposing a piezo stage in this manner.